

## COMPLAINT PROCEDURE – DOCTORS

### Introduction

If you have a complaint about the care you received from your doctor, the first thing to try is to talk to the doctor to resolve the problem. If you are not comfortable doing so, you can talk to the doctor's employer.

If neither of these options is appropriate, you can complain in writing to the Complaints Officer if your complaint is about unprofessional conduct. For more detail, you can find this legislation at:

<https://www.justice.gov.nt.ca/en/files/legislation/medical-profession/medical-profession.a.pdf>

Here is what you need to do and what happens when you send in your concerns/complaint:

### Complaint Procedure

1. Send your written complaint to:  
Dr. Michael Caffaro  
College of Physicians and Surgeons of Alberta  
Complaints Officer  
2700 - 10020 100 Street NW  
Edmonton, Alberta, T5J 0N3  
  
Phone: (780) 969-4956  
Fax: (780) 424-9617

Make sure that you include your mailing address and telephone number so that Dr. Michael Caffaro can reach you if he needs to ask any questions or follow up with you. Be specific in your letter as to the reasons why you think the doctor's conduct was unprofessional.

2. The Complaints Officer will review your complaint as soon as possible and will look into the issue. The doctor will be told that a complaint has been made against him or her.
3. If, after reviewing your complaint, the Complaints Officer feels that there is a risk to the health or safety of the public, he may decide to suspend or put conditions on the doctor's license to practice right away.

4. These are the things that may happen, depending on the seriousness of the complaint. The Complaints Officer may:
  - a. try to solve the problem himself; or
  - b. appoint someone who will contact you and the doctor and try to help resolve the problem to everyone's satisfaction. This process is more informal and is called Alternative Dispute Resolution. You and the doctor have to agree to this process;
  - c. appoint an investigator to look into the matter and provide the Complaints Officer with a report; or
  - d. may dismiss the complaint.
5. If the complaint is appropriate for Alternative Dispute Resolution, the Complaints Officer will appoint someone to look into your complaint and try to resolve it. The Complaints Officer will ask both you and the doctor if you have any objections to the person he selects.

Anything you or the doctor say during this process is confidential and cannot be released unless you and the doctor both agree in writing. After an agreement is reached, the Complaints Officer will look at it and approve it, or refuse to approve it if he feels that it is in the public interest to do so.

6. If the complaint is referred to an investigator, the complaint will be thoroughly investigated and a report will be given to the Complaints Officer as soon as possible. The Complaints Officer will read this report and decide based on the facts, to either dismiss the complaint, refer the matter to Alternative Dispute Resolution or to a Board of Inquiry to hear the matter.

You will be provided with a letter telling you the reasons why the complaint was dismissed.

7. If the complaint goes to a hearing of the Board of Inquiry, an inquiry panel will be selected from individuals appointed by the Minister of Health and Social Services to hear the complaint. The panel will include at least one doctor who is licensed to practice in the Northwest Territories, one doctor who is licensed to practice in a province and one member of the public who is not a doctor.

A hearing is open to the public unless the panel feels that there are reasons to hold the hearing, or parts of it, in private.

You would have the right to attend the hearing and speak to the panel members.

Witnesses may be called if they have any information about the complaint.

8. When the hearing is over, the panel will make a decision. The panel has the power to do a range of things. Some examples are that they could choose to dismiss the complaint, reprimand the doctor or take away his or her license to practice temporarily or permanently. You will receive a written copy of the decision which will include reasons for the decision and the details of the Board of Inquiry Order.

### Conclusion

The conduct and discipline process laid out in the *Medical Profession Act* balances the need to protect the public while also ensuring the doctor's right to procedural fairness during an investigation.

Any person can complain about a doctor's conduct to the Complaints Officer. Ideally this should be the person who has first-hand knowledge of the conduct that is the subject of the complaint. If a Complaints Officer has reasonable grounds to believe that a doctor has engaged in unprofessional conduct, he can initiate the process by filing a complaint with a Deputy Complaints Officer.

**Please note: This document is meant to summarize the process described in the legislation. If there are any errors or omissions, the *Medical Profession Act* prevails.**